

HOUSE BILL 968

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2004 Regular Session
4r2548
CF 4r2549

By: **Delegates Howard, Barkley, G. Clagett, Jameson, Mitchell, Patterson,
and Wood**

Introduced and read first time: February 11, 2004

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Emergency Expenditures - Nation's Capital First Responder**
3 **Preparedness District**

4 FOR the purpose of requiring the Director of the Maryland Emergency Management
5 Agency to allocate at least a certain percentage of certain federal money
6 received by the State to the Nation's Capital First Responder Preparedness
7 District; specifying that the District consists of certain counties; requiring that
8 money that is allocated to the District be distributed in a certain manner and
9 used for certain purposes; and generally relating to the allocation of federal
10 emergency money to the Nation's Capital First Responder Preparedness
11 District.

12 BY repealing and reenacting, without amendments,
13 Article - Public Safety
14 Section 14-101(a), (b), and (f)
15 Annotated Code of Maryland
16 (2003 Volume)

17 BY repealing and reenacting, with amendments,
18 Article - Public Safety
19 Section 14-112
20 Annotated Code of Maryland
21 (2003 Volume)

22 Preamble

23 WHEREAS, Charles County, Frederick County, Montgomery County, and
24 Prince George's County are the four Maryland counties that are closest to
25 Washington, D.C., our nation's capital; and

26 WHEREAS, If an emergency or period of heightened alert occurs in
27 Washington, D.C., police, fire, medical, and rescue personnel as well as other "first

1 responders" from those four counties would be among the first on the scene to assist
2 in coping with the situation; and

3 WHEREAS, An emergency or period of heightened alert in Washington, D.C.,
4 would likely affect the residents of those four counties more directly than it would
5 affect the residents of other Maryland counties; and

6 WHEREAS, Because of their location, those four counties deserve to be
7 recognized as the "Nation's Capital First Responder Preparedness District"; and

8 WHEREAS, First responders in the Nation's Capital First Responder
9 Preparedness District should receive additional resources to protect the public peace,
10 health, and safety, and to preserve lives and property should an emergency or period
11 of heightened alert occur in Washington, D.C.; now, therefore,

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Public Safety**

15 14-101.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) "Director" means the Director of MEMA.

18 (f) "MEMA" means the Maryland Emergency Management Agency.

19 14-112.

20 (a) (1) Expenditures necessitated by emergencies shall first be made using
21 money regularly appropriated to State and local agencies.

22 (2) If the Governor finds that regularly appropriated money is
23 inadequate to cope with an emergency, the Board of Public Works may make
24 contingency money available in accordance with the State budget.

25 (b) [The] SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE State may:

26 (1) accept any allotment of federal money and commodities and manage
27 and dispose of them in whatever manner may be required by federal law; and

28 (2) take advantage of the federal Disaster Relief Act of 1974 and any
29 amendments or supplements to it, and any other federal law that provides grants and
30 public assistance for the purposes of this subtitle and Subtitles 2 and 4 of this title.

31 (c) (1) In carrying out this subtitle, the Governor, Adjutant General, and
32 executive officers or governing bodies of the political subdivisions shall use the
33 services, equipment, supplies, and facilities of existing agencies and units of the State
34 and the political subdivisions to the maximum extent practicable.

1 (2) The officers and personnel of the agencies and units of the State and
2 the political subdivisions shall cooperate with and extend services and facilities to the
3 Governor, Adjutant General, Director, and the local organizations for emergency
4 management on request.

5 (3) At the direction of the Governor, the Maryland National Guard shall
6 use its services, equipment, supplies, and facilities in life-threatening emergencies
7 that are beyond the capabilities of local authorities.

8 (d) (1) [If] SUBJECT TO SUBSECTION (E) OF THIS SECTION, IF the federal
9 government, another state, or an agency or officer of the federal government or
10 another state offers to this State or a political subdivision services, equipment,
11 supplies, materials, or money by way of gift, grant, or loan for purposes of emergency
12 management, the State acting through the Governor, or the political subdivision
13 acting with the consent of the Governor and through its executive officer or governing
14 body, may:

15 (i) accept the offer; and

16 (ii) authorize an officer of this State or the political subdivision to
17 receive the services, equipment, supplies, materials, or money.

18 (2) If a person offers to the State or a political subdivision aid or
19 assistance, the State or political subdivision may accept the aid and assistance in
20 accordance with paragraph (1) of this subsection.

21 (E) (1) THE DIRECTOR SHALL ALLOCATE AT LEAST 5% OF ANY FEDERAL
22 MONEY RECEIVED UNDER SUBSECTION (B) OR (D) OF THIS SECTION TO THE NATION'S
23 CAPITAL FIRST RESPONDER PREPAREDNESS DISTRICT, WHICH CONSISTS OF
24 CHARLES COUNTY, FREDERICK COUNTY, MONTGOMERY COUNTY, AND PRINCE
25 GEORGE'S COUNTY.

26 (2) MONEY ALLOCATED UNDER PARAGRAPH (1) OF THIS SECTION SHALL
27 BE:

28 (I) DISTRIBUTED EQUALLY AMONG THE COUNTIES; AND

29 (II) USED FOR EMERGENCY PLANNING, RISK ASSESSMENTS,
30 EQUIPMENT, TRAINING, EXERCISES, AND OVERTIME EXPENSES INCURRED DURING
31 EMERGENCIES OR PERIODS OF HEIGHTENED ALERT.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
33 effect October 1, 2004.